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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/040,621	01/09/2002	Choi Yang Lim	Q67687	3021	
7590 11/29/2005			EXAMINER		
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC			HUNG, YUBIN		
2100 Pennsylva Washington, D	nia Avenue, N.W. C 20037-3213		ART UNIT	PAPER NUMBER	
υ,			2625		
			DATE MAILED: 11/29/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Omelia odina Dia	A 1: 4/ -)				
Advisor Adis	Application No.	Applicant(s)				
Advisory Action	10/040,621	LIM ET AL.				
Before the Filing of an Appeal Brief	Examiner	Art Unit				
	Yubin Hung	2625				
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence addre	ess			
THE REPLY FILED 10 November 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.						
1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of						
this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:						
a) The period for reply expires 3 months from the mailing date of the final rejection.						
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.						
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO						
MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have						
been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL						
2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).						
AMENDMENTS						
3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because						
(a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for application in better form for application in better form for application in the place the application in better form for application in the place the application in better form for application in the place the application in better form for application in the place the application in the applica						
(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or						
(d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: (See 37 CFR 1.116 and 41.33(a)).						
4. The amendments are not in compliance with 37 CFR 1.1		ompliant Amendment (PTOL-324).			
5. Applicant's reply has overcome the following rejection(s): 35 USC 112(2) rejection of claim 33.						
6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).						
7. To purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:	☐ will not be entered, or b) ☒ w vided below or appended.	ill be entered and an ex	xplanation of			
Claim(s) allowed:						
Claim(s) objected to: <u>13,19-22 and 25-35.</u> Claim(s) rejected: <u>1-12,14-18,23 and 24.</u>						
Claim(s) withdrawn from consideration:						
AFFIDAVIT OR OTHER EVIDENCE						
8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).						
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessar	vercome all rejections under appea	al and/or appellant fails	s to provide a			
10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER						
11. The request for reconsideration has been considered but the argument is not persuasive. See Note 1 below.	t does NOT place the application in	n condition for allowan	ce because:			
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s).						
13. Other:						

Note 1: Regarding Applicant's arguments on page 21 and 1st paragraph of page 22, note that Ganapathy is relied upon to teach the combination of different distance measures using weighting factors that match human perception. The fact that Ganapathy uses specific types of distance measures is NOT relied upon. In addition, since, as Applicant admitted, and is hereby quoted: "the weighting factors are designed such that the results should match the human perception," those weighting factors clearly reflect the human visual perception attributes.

KANJIBHAI PATEL